| 1:11-CV-0335 (GTS/RFT) Exhibit 022 |  |  |  |  |  |
|------------------------------------|--|--|--|--|--|
|                                    |  |  |  |  |  |
| NORTHERN DISTRICT OF NEW YORK      |  |  |  |  |  |
| UNITED STATES DISTRICT COURT       |  |  |  |  |  |

William Better invoice to Stuyvesant for work on suit against Narzinsky

#### WILLIAM J. BETTER, P.C. 1 ALBANY AVENUE

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INVOICE

3494

File#

2012-0333

Melissa Naegli Town Clerk Town of Stuyvesant 5 Sunset Drive, POB 250 Stuyvesant, New York 12173

# Narzynski - ZBA Litigation

| 2/13/2012   Review Petition; Reviewed Case Law Cited by Pflaum, William in His Petition   1.16667   175.00   2/22/2012   Telephone Conference with Ron   0.20000   50.00   2/23/2012   Telephone Conference with Ron   0.50000   125.00   0.50000   2/23/2012   Telephone Conference with Peter Lynch   0.50000   50.00   2/24/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Telephone Conference with Ron   0.20000   250.00   2/26/2012   Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter   1.00000   250.00   2/27/2012   Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter   1.00000   250.00   2/28/2012   Review Petition; Reviewed Exhibits Attached to Petition; Research   4.58333   687.50   2/29/2012   Prepare Letter; Review Letter   0.25000   62.50   2/29/2012   Prepare Letter; Review Letter   0.25000   62.50   2/29/2012   Prepare Notice of Motion to Dismiss; Research   7.5000   37.5 | Date      | Description   | Time                    | Amount   |
|--|-----------|---|-------------------------|----------|
| 2/23/2012       Telephone Conference with Ron (2)       0.40000       100.00         2/23/2012       Telephone Conference with Ron       0.50000       125.00         2/24/2012       Telephone Conference with Ron       0.20000       50.00         2/26/2012       Telephone Conference with Ron       0.20000       50.00         2/26/2012       Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter       1.00000       250.00         2/28/2012       Review Petition; Reviewed Exhibits Attached to Petition; Research       4.58333       687.50         2/29/2012       Prepare Letter; Review Letter       0.25000       62.50         2/29/2012       Writ of Mandamus       Prepare First Draft of Motion to Task and the Motion to Dismiss (Affidavits in Relation to Motion; Affidavit in Relation to Motion; Affidavit william Vick; Prepare Affidavit Gerald Ennis; Research       6.25000       937.50         3/1/2012       Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research       6.58333       987.50         3/2/2012       Meeting with Richard re:       0.75000       187.50         3/5/2012       Telephone Conference with Ron       0.20000       50.00   | 2/13/2012 | Review Petition; Reviewed Case Law Cited by Pflaum, William in His Petition | 1.16667                 | 175.00   |
| 2/23/2012       Telephone Conference with Ron (2)       0.40000       100.00         2/23/2012       Telephone Conference with Ron       0.50000       125.00         2/24/2012       Telephone Conference with Ron       0.20000       50.00         2/26/2012       Telephone Conference with Ron       0.20000       50.00         2/26/2012       Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter       1.00000       250.00         2/28/2012       Review Petition; Reviewed Exhibits Attached to Petition; Research       4.58333       687.50         2/29/2012       Prepare Letter; Review Letter       0.25000       62.50         2/29/2012       Writ of Mandamus       Prepare First Draft of Motion to Task and the Motion to Dismiss (Affidavits in Relation to Motion; Affidavit in Relation to Motion; Affidavit william Vick; Prepare Affidavit Gerald Ennis; Research       6.25000       937.50         3/1/2012       Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research       6.58333       987.50         3/2/2012       Meeting with Richard re:       0.75000       187.50         3/5/2012       Telephone Conference with Ron       0.20000       50.00   | 2/22/2012 | Telephone Conference with Ron   | 0.20000                 | 50.00    |
| 2/23/2012   Telephone Conference with Ron   0.50000   125.00   2/24/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Work On (Review) Petition and Work on Answer   1.00000   250.00   2/27/2012   Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter   1.00000   250.00   2/28/2012   Review Petition; Reviewed Exhibits Attached to Petition; Research   4.58333   687.50   3/2/2012   Prepare Letter; Review Letter   0.25000   62.50   2/29/2012   Prepare Letter; Review Letter   Prepare First Draft of Motion to 7.83333   1,175.00   1,17 | 2/23/2012 |   | 0.40000                 | 100.00   |
| 2/24/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Telephone Conference with Ron   0.20000   50.00   50.00   2/26/2012   Work On (Review) Petition and Work on Answer   1.00000   250.00   2/27/2012   Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter   1.00000   250.00   2/28/2012   Review Petition; Reviewed Exhibits Attached to Petition; Research   4.58333   687.50   5.50  | 2/23/2012 |   | 0.50000                 | 125.00   |
| 2/26/2012   Telephone Conference with Ron   0.20000   50.00   2/26/2012   Work On (Review) Petition and Work on Answer   1.00000   250.00   2/27/2012   Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter   1.00000   250.00   2/28/2012   Review Petition; Reviewed Exhibits Attached to Petition; Research   4.58333   687.50   2/29/2012   Prepare Letter; Review Letter   0.25000   62.50   2/29/2012   Writ of Mandamus, Prepare First Draft of Motion to 7.83333   1,175.00   Dismiss   (1.5000   | 2/24/2012 |   | 0.20000                 | 50.00    |
| 2/27/2012       Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter       1.00000       250.00         2/28/2012       Review Petition; Reviewed Exhibits Attached to Petition; Research Review Letter       0.25000       62.50         2/29/2012       Prepare Letter; Review Letter       0.25000       62.50         2/29/2012       Writ of Mandamus, Dismiss       Prepare First Draft of Motion to 7.83333       1,175.00         3/1/2012       Motion to Dismiss; Research Research Review Notice of Motion to Dismiss       6.25000       937.50         3/1/2012       Review Notice of Motion to Dismiss       1.50000       375.00         3/2/2012       Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research Secure Research Researc   | 2/26/2012 |   | 0.20000                 | 50.00    |
| 2/27/2012       Telephone Conference with Ron (2); Telephone Conference with Peter (2); Dictate Letter       1.00000       250.00         2/28/2012       Review Petition; Reviewed Exhibits Attached to Petition; Research Review Letter       0.25000       62.50         2/29/2012       Prepare Letter; Review Letter       0.25000       62.50         2/29/2012       Writ of Mandamus, Dismiss       Prepare First Draft of Motion to 7.83333       1,175.00         3/1/2012       Motion to Dismiss; Research Research Review Notice of Motion to Dismiss       6.25000       937.50         3/1/2012       Review Notice of Motion to Dismiss       1.50000       375.00         3/2/2012       Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research Secure Research Researc   | 2/26/2012 | Work On (Review) Petition and Work on Answer                                | 1.00000                 | 250.00   |
| 2/28/2012       Review Petition; Reviewed Exhibits Attached to Petition; Research       4.58333       687.50         2/29/2012       Prepare Letter; Review Letter       0.25000       62.50         2/29/2012       Writ of Mandamus, Prepare First Draft of Motion to 7.83333       1,175.00         Dismiss       Oismiss       6.25000       937.50         Affidavits in Relation to Motion; Prepare Notice of Motion to Dismiss       Frepare Notice of Motion to Dismiss       1.50000       375.00         3/1/2012       Review Notice of Motion & Affidavit       1.50000       375.00         3/2/2012       Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research       6.58333       987.50         3/2/2012       Meeting with Richard re:       0.75000       187.50         3/5/2012       WJB Affidavit (mmm): Existing Sections and Citations;       4.66667       700.00         3/5/2012       Telephone Conference with Ron       0.20000       50.00  | 2/27/2012 |   | 1.00000                 | 250.00   |
| 2/29/2012   Writ of Mandamus   Prepare First Draft of Motion to   7.83333   1,175.00   | 2/28/2012 | Review Petition; Reviewed Exhibits Attached to Petition; Research en        | 4.58333                 | 687.50   |
| 2/29/2012   Writ of Mandamus   Prepare First Draft of Motion to   7.83333   1,175.00   | 2/29/2012 | Prepare Letter; Review Letter   | 0.25000                 | 62.50    |
| Affidavits in Relation to Motion;  Prepare Notice of Motion to Dismiss  3/1/2012 Review Notice of Motion & Affidavit  3/2/2012 Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research  987.50  Motion to Dismiss  1.50000  375.00  6.58333  987.50  3/2/2012 Meeting with Richard re:  3/5/2012 WJB Affidavit (June 1988): Existing Sections and Citations; 111  3/5/2012 Telephone Conference with Ron  0.20000  50.00  | 2/29/2012 | Writ of Mandamus, Prepare First Draft of Motion to                          | 7.83333                 | 1,175.00 |
| 3/1/2012 Review Notice of Motion & Affidavit 3/2/2012 Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research  3/2/2012 Meeting with Richard re:  3/5/2012 WJB Affidavit ( ): Existing Sections and Citations; 11 4.66667 700.00  3/5/2012 Telephone Conference with Ron  | 3/1/2012  | Affidavits in Relation to Motion; Met with WJB - Discuss                    | 6.25000                 | 937.50   |
| 3/2/2012 Affidavit William Vick; Prepare Affidavit Gerald Ennis; Research 6.58333 987.50  g; Motion to Dismiss 9.75000 187.50  3/2/2012 Meeting with Richard re 9.75000 187.50  3/5/2012 WJB Affidavit (2000) Existing Sections and Citations; 244 4.66667 700.00  3/5/2012 Telephone Conference with Ron 0.20000 50.00  | 2/1/2012  |   | 1.50000                 | 276.00   |
| 3/2/2012 Meeting with Richard re: 0.75000 187.50 3/5/2012 WJB Affidavit (2000) Existing Sections and Citations; 20000 50.00  |           |   | P. C. W. L. C. C. C. C. |          |
| 3/5/2012   | 3/2/2012  |   | 0.36333                 | 987.30   |
| 3/5/2012 Telephone Conference with Ron 0.20000 50.00   | 3/2/2012  | Meeting with Richard re:  | 0.75000                 | 187.50   |
|  | 3/5/2012  |   | 4.66667                 | 700.00   |
| 3/5/2012 Review Affidavits; Memo 1.50000 375.00  | 3/5/2012  | Telephone Conference with Ron   | 0.20000                 | 50.00    |
|  | 3/5/2012  | Review Affidavits; Memo   | 1.50000                 | 375.00   |

**Total Current Work** 

Payments/Credits Applied

**Balance Remaining on File** 

### WILLIAM J. BETTER, P.C.

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Philip Sterling Meyer psmbetterlaw & fairpoint net

### INVOICE

3494

File#

2012-0333

Melissa Naegli Town Clerk Town of Stuyvesant 5 Sunset Drive, POB 250 Stuyvesant, New York 12173

#### Narzynski - ZBA Litigation

| Date     | Description   | Time    | Amount   |
|----------|---|---------|----------|
| 3/6/2012 | Review Affidavit - Reviewed Chanages/Edits                  | 7.58333 | 1,137.50 |
|          | ; (ENNIS AFFIDAVIT); Reviewed Pflaum's Argument in Petition |         |          |
| 3/7/2012 | Telephone Conference with Ron                               | 0.20000 | 50.00    |
| 3/7/2012 | Reviewed the Resolution in 2011                             | 4.50000 | 675.00   |

Total Current Work \$8,450.00

Payments/Credits Applied \$-7,450.00

Balance Remaining on File \$7,157.90

## WILLIAM J. BETTER, P.C.

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## INVOICE

3494

File#

2012-0480

Melissa Naegli Town Clerk Town of Stuyvesant 5 Sunset Drive, POB 250 Stuyvesant, New York 12173

#### Narzynski - ZBA Litigation

| Date                 | Description   | Time               | Amount          |
|----------------------|---|--------------------|-----------------|
| 3/8/2012<br>3/8/2012 | eeting with Phil Notice of Motion; Prepare Citations in WJB Affidavit; Summary / Conclusion;  Its; Research   | 0.20000<br>3.75000 | 50.00<br>562.50 |
| 3/9/2012             | Review Draft Docs; Meeting with Phil  | 1.00000            | 250.00          |
| 3/9/2012             | Dictate Memo  | 0.20000            | 50.00           |
| 3/9/2012             | Finalize Respondent's Motion to Dismiss the Petition: (1) Notice of Motion; (2) WJB Aff; (3) Gerald Ennis Aff; (4) William Vick Aff; Sent Affidavits to be Reviewed and Signed; WJB to Review | 6.16667            | 925.00          |
| 3/12/2012            | Email from William Vick; Read Over / Reviewed the Finalized Motion Papers (New York); Talked with Bill  | 1.08333            | 162.50          |
| 3/12/2012            | Telephone Conference with Ron; Email Bill Vick  | 0.40000            | 100.00          |
| 3/12/2012            | Work On ( Affidavit   | 1.00000            | 250.00          |
| 3/12/2012            | Travel to Town Hall and Meet with Officials   | 0.60000            | 150.00          |
| 3/13/2012            | Meeting with Ron; Review Affidavit;   | 1.50000            | 375.00          |
| 3/13/2012            | Telephone Conference with Ron; Telephone Conference with Melissa  | 0.40000            | 100.00          |
| 3/13/2012            | Meeting with Melissa at Town Hall   | 0.40000            | 100.00          |
| 3/13/2012            | Work On (File)  | 0.75000            | 187.50          |
| 3/13/2012            | Record of Proceedings, Certification of Proceedings, Notice of Motion to Dismiss (with Revisions), WJB Affidavit (Motion Complete - Sent Out  | 3.71667            | 557.50          |
| 3/19/2012            | Dictate Letter  | 0.10000            | 25.00           |
| 3/21/2012            | Telephone Conference with Melissa   | 0.20000            | 50.00           |
| 3/27/2012            | Review Response; Meeting with Phil; Telephone Conference with Ron   | 0.95000            | 237.50          |
| 3/27/2012            | Review Response; Meeting with Phil; Telephone Conference with Ron   | 0.95000            | 237.50          |
|                      | Review Pflaum Reply Affidavit; Prepare Outline Arguments  | 5.25000            | 787.50          |
| 3/28/2012            | Review and Modify Affidavit   | 0.50000            | 125.00          |
| 3/28/2012            | Review Pflaum Reply Affidavit; Prepare Sur-Reply Affidavit (Naegeli); She Signed Affidavit; Prepare Sur-Reply Affidavit WJB   | 5.58333            | 837.50          |

Total Current Work \$6,120.00

Payments/Credits Applied \$0.00

Balance Remaining on File \$7,157.90